

**FILED**

**Aug 25, 2022**

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

Keith Wright AN 1721  
Name and Prisoner Booking Number

SATF  
Place of Confinement

PO Box 5244  
Mailing Address

Coeleman, CA 93212  
City, State, Zip Code

(Failure to notify the Court of your change of address may result in dismissal of this action.)

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

Keith Wright  
(Full Name of Plaintiff) Plaintiff,

v.

(1) Sandoval, etc  
(Full Name of Defendant)

(2) \_\_\_\_\_

(3) \_\_\_\_\_

(4) \_\_\_\_\_

Defendant(s).

☐ If back of there are additional Defendants and attach page 1-A listing them

1:22-CV-01082 BAK (PC)

CASE NO. \_\_\_\_\_

(To be supplied by the Clerk)

**CIVIL RIGHTS COMPLAINT  
BY A PRISONER**

☒ Original Complaint

☐ First Amended Complaint

☐ Second Amended Complaint

**A. JURISDICTION**

1. This Court has jurisdiction over this action pursuant to:

☒ 28 U.S.C. § 1343(a); 42 U.S.C. § 1983

☐ 28 U.S.C. § 1331; Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388 (1971).

☐ Other: \_\_\_\_\_

2. Institution/city where violation occurred: SATF/Coelman, CA

### B. DEFENDANTS

1. Name of first Defendant: Sandoval. The first Defendant is employed as:  
SUPERVISOR COOK at SAPT  
(Position and Title) (Institution)
2. Name of second Defendant: \_\_\_\_\_. The second Defendant is employed as:  
\_\_\_\_\_  
(Position and Title) (Institution)
3. Name of third Defendant: \_\_\_\_\_. The third Defendant is employed as:  
\_\_\_\_\_  
(Position and Title) (Institution)
4. Name of fourth Defendant: \_\_\_\_\_. The fourth Defendant is employed as:  
\_\_\_\_\_  
(Position and Title) (Institution)

If you name more than four Defendants, answer the questions listed above for each additional Defendant on a separate page.

### C. PREVIOUS LAWSUITS

1. Have you filed any other lawsuits while you were a prisoner? ☒ Yes ☐ No
2. If yes, how many lawsuits have you filed? 1. Describe the previous lawsuits:

#### a. First prior lawsuit:

1. Parties: Keith Wright v. STUART Sherman et al
2. Court and case number: 1:21-cv-01111-SAB
3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) Dismissed

#### b. Second prior lawsuit:

1. Parties: \_\_\_\_\_ v. \_\_\_\_\_
2. Court and case number: \_\_\_\_\_
3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) \_\_\_\_\_

#### c. Third prior lawsuit:

1. Parties: \_\_\_\_\_ v. \_\_\_\_\_
2. Court and case number: \_\_\_\_\_
3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) \_\_\_\_\_

If you filed more than three lawsuits, answer the questions listed above for each additional lawsuit on a separate page.

D. CAUSE OF ACTION

CLAIM I

1. State the constitutional or other federal civil right that was violated: 14th Amendment Equal Protection

2. Claim I. Identify the issue involved. Check **only one**. State additional issues in separate claims.

- |  |   |  |                                       |
|--|---|--|---------------------------------------|
| <input type="checkbox"/> Basic necessities             | <input type="checkbox"/> Mail             | <input type="checkbox"/> Access to the court             | <input type="checkbox"/> Medical care |
| <input type="checkbox"/> Disciplinary proceedings      | <input type="checkbox"/> Property         | <input checked="" type="checkbox"/> Exercise of religion | <input type="checkbox"/> Retaliation  |
| <input type="checkbox"/> Excessive force by an officer | <input type="checkbox"/> Threat to safety | <input type="checkbox"/> Other:                          |                                       |

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim I. Describe exactly what **each Defendant** did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

See pages 9 thru 11

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

5. **Administrative Remedies:**

- a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☒ Yes ☐ No
- b. Did you submit a request for administrative relief on Claim I? ☒ Yes ☐ No
- c. Did you appeal your request for relief on Claim I to the highest level? ☒ Yes ☐ No
- d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not.

**CLAIM II**

1. State the constitutional or other federal civil right that was violated:

*N/A*

2. **Claim II.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

- |  |   |   |                                       |
|--|---|---|---------------------------------------|
| <input type="checkbox"/> Basic necessities             | <input type="checkbox"/> Mail             | <input type="checkbox"/> Access to the court  | <input type="checkbox"/> Medical care |
| <input type="checkbox"/> Disciplinary proceedings      | <input type="checkbox"/> Property         | <input type="checkbox"/> Exercise of religion | <input type="checkbox"/> Retaliation  |
| <input type="checkbox"/> Excessive force by an officer | <input type="checkbox"/> Threat to safety | <input type="checkbox"/> Other:               |                                       |

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim II. Describe exactly what **each Defendant** did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

*N/A*

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

5. **Administrative Remedies.**

- Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☐ Yes ☐ No
- Did you submit a request for administrative relief on Claim II? ☐ Yes ☐ No
- Did you appeal your request for relief on Claim II to the highest level? ☐ Yes ☐ No
- If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not.



**CLAIM III**

1. State the constitutional or other federal civil right that was violated:

*N/A*

2. **Claim III.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

- |  |   |   |                                       |
|--|---|---|---------------------------------------|
| <input type="checkbox"/> Basic necessities             | <input type="checkbox"/> Mail             | <input type="checkbox"/> Access to the court  | <input type="checkbox"/> Medical care |
| <input type="checkbox"/> Disciplinary proceedings      | <input type="checkbox"/> Property         | <input type="checkbox"/> Exercise of religion | <input type="checkbox"/> Retaliation  |
| <input type="checkbox"/> Excessive force by an officer | <input type="checkbox"/> Threat to safety | <input type="checkbox"/> Other:               |                                       |

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim III. Describe exactly what **each Defendant** did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

*N/A*

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

5. **Administrative Remedies.**

- Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution?  
☐ Yes ☐ No
- Did you submit a request for administrative relief on Claim III?  
☐ Yes ☐ No
- Did you appeal your request for relief on Claim III to the highest level?  
☐ Yes ☐ No
- If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not.  
\_\_\_\_\_

If you assert more than three Claims, answer the questions listed above for each additional Claim on a separate page.

E. REQUEST FOR RELIEF

State the relief you are seeking:

*See Page 13*

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 24, 2022  
DATE

*Kurt W. [Signature]*  
SIGNATURE OF PLAINTIFF

*Edward B. Spencer*  
(Name and title of paralegal, legal assistant, or  
other person who helped prepare this complaint)

\_\_\_\_\_  
(Signature of attorney, if any)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(Attorney's address & telephone number)

ADDITIONAL PAGES

All questions must be answered concisely in the proper space on the form. If you need more space you may attach more pages, but you are strongly encouraged to limit your complaint to twenty-five pages. If you attach additional pages, be sure to identify which section of the complaint is being continued and number all pages. Remember, there is no need to attach exhibits to your complaint.

# I.

## INTRODUCTION

This Is A Civil Rights Action For Declaratory Relief, And Monetary Damages Brought Over Defendant Equal Protection Violation. As A Result Of The Equal Protection Violation Of Defendant Plaintiff Was Injured And Subjected To Harassment.

## II PARTIES

6. Plaintiff Keith Wright IS Currently, And At All Time Relevant Herein, Placed At The Substance Abuse Treatment Facility (SATF), Under The Custody And Control Of The California Department Of Corrections And Rehabilitation (CDCR).

7. Defendant Sandoval Is Now, And At All Time Relevant Was A Cook At SATF On FAC F. As A Cook, Defendant Sandoval (Defendant) Is And Was Constitutionally And Statutorily Responsible For The Operation And Preparing Of FAC F Involving Issuing Inmate's Food. Defendant Is And Was Further Responsible For The Enforcement Of Policies, Procedures And Guidelines To Guarantee The Health And Safety Of The Inmates Housed On FAC F. Defendant Is And Was Responsible For Issuing



Letters Mailed On FAL F, Including Plaintiff, Are Provided With Their Mails. Defendant, At All Times Herein, Was Acting In Such Capacity As The Agent, Servant And Employee Of The State Of California. Said Is Being Sued In His Individual Capacity.

### III.

### JURISDICTION

8. This Is A Civil Rights Action Under 42 U.S.C. § 1983 To Redress The Deprivation Under Color Of State And Federal Law Rights, Privileges And Immunities Guaranteed By The Fourteenth Amendment To The United States Constitution. This Court Has Jurisdiction Pursuant 28 U.S.C. §§ 1331 And 1343.

### IV.

### VENUE

9. Venue Is Appropriate In This Court Under 28 U.S.C. § 1391 (b), Because A Substantial Part Of The Events Or Omission Giving Rise To Plaintiff's Claims Occurred At SATF, In Colton, California Kings County Within The Eastern District Of California.

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V.  
FACTUAL ALLEGATIONS

10. Plaintiff Is of Muslim Faith And He Embraced Its Tenets,
11. Plaintiff Is entitled To Receive And Practice His Religion In Receiving His Ramadan meals.
12. Defendant Violated Plaintiff Religious Rights By Refusing To Provide And Allow Him To Eat His Ramadan Meal, Which Was Not Related To A Legitimate Penological Interest.
13. Defendant Deny Plaintiff To Eat His Ramadan meal.
14. Plaintiff's Religion Require Him To Practice And Eat His Ramadan meal That Is Similar To Jewish And Christian, Such As Passover And 40 Days fast respectively.
15. Defendant Does Not Deny Jewish And Christian Passover And 40 Days fast.
16. Plaintiff Is Being Treated Unequally.
17. Defendant Conduct Is Discriminatory.
18. Defendant Treats Plaintiff Differently Than Jewish And Christian inmates without any Rational Basis For The Disparate Treatment.
19. Defendant Denied Plaintiff From Practice His Faith By Preventing Him From Engaging In His Religious Beliefs He Sincerely Believes Is Consistent With His Faith.

20. Defendant Violated Plaintiff's Equal Intake Rights.

21. Plaintiff Sincerely Held Religious Beliefs Are Entitled To Constitutional Protection.

22. Plaintiff Seeks A Declaratory Relief That He Is Entitled To Receive His Religious Meals While He Is A California Department of Corrections And Rehabilitation (CDCR) Inmate.

23. Plaintiff Muslim Rights Were Violated On May 1, 2022 Because Defendant Refusal To Allow Plaintiff Practice His Religion And Eat His Ramadan meal.

24. Plaintiff Religion Requires Special Religious Meals, Such As Ramadan Meals For Muslim That Is Similar To The Jewish And Christian And Faith Inmate Special Religious Meals, Such As Christians Passover And 40 Days of Lent Respectively. Defendant Refused To Accommodate Plaintiff Religious Special Religious meal But Will Accommodate Jewish And Christian Inmate's Special Religious Meal.

25. Defendant Does Not Deny Christian And Jewish Inmates Their Religious Meals When They Are Participating In Their Religious Beliefs.

26. Plaintiff Was Similarly Situated To Jewish And Christian And Inmates But Was Being Treated Unequally.

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27. Defendant Treated Plaintiff Differently Than Jewish And Christian Inmates Without Any Rational Basis For The Disparate Treatment.

28. Defendant Denied Plaintiff To Practice His Religion By Preventing Him From Engaging In Muslim Beliefs, Such As Practicing His Religious And Eating Ramadan Meal That He Sincerely Believes Is Consistent With His Faith.

## VII.

### EXHAUSTED REMEDIES

29. Appeal (SAYF FORM 4159) (4/1/59) was submitted on 5/8/22.

30. Appeal 4159 was Rejected At Second Level.

31. Appeal 4159 serves as the Department's Final Decision Regarding This claim, See Office of Appeal Decision Dated 4/17/22.

## VIII.

### CAUSE OF ACTION

(42 U.S.C. 1983; 14<sup>th</sup> Amendment to U.S. Constitution)

32. Refers to and incorporates therein by reference the allegations contained in paragraphs 1 through 31 above.

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33. Defendant Violated Plaintiff Equal Protection Guaranteed By The Fourteenth Amendment To The United States Constitution By His Actions of Denying Plaintiff His Religious Needs As A Muslim.

34. Defendant Wrongful Actions Alleged Plaintiff Asks For Violation of 42 U.S.C. §1983 Because He Had Deprived of Rights, Benefits, And Privileges Secured By The United States Constitution.

35. Defendant Acted Under Color And Authority of State Laws.

36. The Actions, Omissions And Conduct of Defendant Demonstrate Equal Protection To Plaintiff Fourteenth Amendment Rights.

37. As A Proximate Result of Defendant Violation of Plaintiff Right To Be Treated Equally While At SATF, Plaintiff Suffered, Is Suffering And Will Continue To Suffer Irreparable Damages, Based On Denial of Practice of His Beliefs.

38. As A Direct And Foreseeable Result of Defendant Violation of The Fourteenth Amendment, Plaintiff Suffered, Is Suffering And Will Continue To Suffer Harm From Being Denied His Right To Practice His Religion, Which Will Likely Cause Irreparable Harm And Permanent Harm To His Faith.



39. An Actual Controversy Exists Between Plaintiff  
And Defendant Concerning Their Rights, Privileges  
And Obligations

40. Defendant Acts Were Willful, Intentional,  
Malicious, Wanton And Despicable Unconscious  
Disregard of Plaintiff Rights, Entitling To An  
Award of Exemplary Damages.

VIII.

### PRAYER FOR RELIEF

WHEREFORE, Respectfully Prays For Relief As Follows:

1. Award Compensatory Damages In An Amount To Be  
Determined At Trial;
2. Award Punitive And Exemplary Damages In An  
Amount To Be Determined At Trial;
3. Award, Pursuant To 29 U.S.C. 3794(b), 381999  
And 123205, The Cost of This Suit And  
Reasonable Attorney's Fees And Litigation  
Expense; And
4. Award Such Other And Further Relief As The  
Court Deems Just And Proper.

Dated: August 24, 2022

Respectfully Submitted,

Karl W. [Signature]